



COUNTY OF SAN BERNARDINO

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August 10, 2011

The Honorable Christine Kehoe, Chair
Senate Appropriations Committee
State Capitol
Sacramento, CA 95814

RE: **AB 375 (Skinner)** – As amended on July 5, 2011 – **OPPOSE**

Dear Senator Kehoe:

The San Bernardino County Board of Supervisors regrets it must oppose AB 375. This legislation would provide, with respect to hospital employees who provide direct patient care in an acute care hospital, that the term "injury" includes a blood-borne infectious disease, neck or back impairment, methicillin-resistant Staphylococcus aureus (MRSA), or H1N1 influenza virus that develops or manifests itself during the period of the person's employment with the hospital. As you know, current workers' compensation law states that the employee must show that there is a nexus between employment and the injury or illness. Under AB 375 the employer, in this case the County of San Bernardino, would be placed with the burden to prove that an injury did or did not occur in the workplace.

AB 375 would make it nearly impossible for the county to rebut a claim of the conditions mentioned in the bill. Not only does AB 375 extend this impossible high standard to specified hospital employees, but it also adds a new presumption of injury to the Labor Code for injury to the neck and contraction of the H1N1 virus. There is no doubt that healthcare costs will rise as hospitals are forced to pay the increased cost of workers' compensation created by AB 375. AB 375 creates an expensive, unreasonable, and unnecessary mandate on San Bernardino County's public hospital at a time when, due to the state's fiscal crisis, state and local funding for health services is scarce.

For these reasons, the County of San Bernardino opposes AB 375 and respectfully requests your "no" vote. If you have any questions, please

Sincerely,

JOSIE GONZALES

Chair, Board of Supervisors

cc: The Honorable Nancy Skinner